

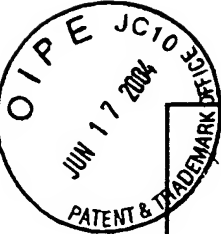
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PTO/SB/21 (08-03)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/783,672

Filing Date

February 20, 2004

First Named Inventor

Beverly M. EMERSON

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

532792000300

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement,
3 pages

☐ Certified Copy of Priority
Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please
identify below):

Form 1449, 3 pages in duplicate
45 References
Return Postcard

Remarks

CUSTOMER NO. 25225

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

MORRISON & FOERSTER LLP
Bruce D. Grant - 47,608

Signature

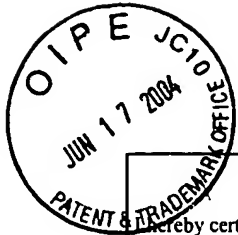
Date

June 15, 2004

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Dated: June 15, 2004

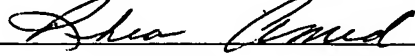
Signature: Rhea Amid (Rhea Amid)



PATENT
Docket No. 532792000300

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Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Beverly M. EMERSON et al.

Serial No.: 10/783,672

Filing Date: February 20, 2004

For: METHODS OF MODULATING GENE
EXPRESSION

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 532792000300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 15, 2004

Respectfully submitted,

By: 

Bruce D. Grant

Reg. No. 47,608

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Telephone: (858) 720-7962

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Form PTO-1449

Docket Number: 532792000300

Application Number: 10/783,672

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

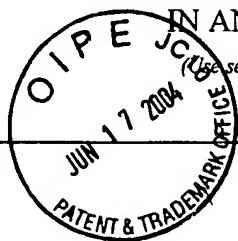
Applicant:

Beverly M. EMERSON et al.

Filing Date: February 20, 2004

Group Art Unit: Not Yet Assigned

Mailing Date June 15, 2004



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	12/1985	4,559,157	Smith et al.	252	90	
	2.	08/1986	4,608,392	Jacquet et al.	514	844	
	3.	04/1989	4,820,508	Wortzman	424	59	
	4.	07/1990	4,938,949	Borch et al.	424	10	
	5.	02/1991	4,992,478	Geria	514	782	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	6.	Anderson, A.C., et al., Curr. Opin. Genet. Dev. 11:554-560 (2001)
	7.	Armstrong, et al., Cell 95:93-104 (1998)
	8.	Artavanis-Tsakonas, S., et al., Science 284:770-776 (1999)
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	10.	Bieker JJ, et al., Ann N Y Acad Sci. 850: 64-9 (1998)
	11.	Bulger, M., et al., Methods Mol. Genet. 5:241-262 (1994)
	12.	Burns, L. G. et al., Mol. Cell. Biol., 17, 4811 (1997)
	13.	Cairns, B.R. et al., Cell, 87, 1249 (1996)
	14.	Cantor, A. B., et al., Oncogene 21:3368-3376 (2002)
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	16.	Chi, T. H., et al., Nature 418:195-199 (2002)
	17.	Cosma, M. P., Mol. Cell 10:227-236 (2002)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Docket Number: 532792000300	Application Number: 10/783,672	
		Applicant: <div style="text-align: center;">Beverly M. EMERSON et al.</div>		
		Filing Date: February 20, 2004	Group Art Unit: Not Yet Assigned	
		Mailing Date June <u>5</u> , 2004		
	18.	Dahiya, A., et al., Mol. Cell 8:557-568 (2001)		
	19.	Davie, J. R., Curr. Opin. Nucleic Genet. Dev., 8, 173 (1998)		
	20.	de la Serna, et al., Nat. Genet. 27:187-190 (2001)		
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EXAMINER:		DATE CONSIDERED:		
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number: 532792000300	Application Number: 10/783,672
	Applicant: Beverly M. EMERSON et al.	
	Filing Date: February 20, 2004	Group Art Unit: Not Yet Assigned
	Mailing Date June <u>15</u> , 2004	

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